

Application No. 09/527,137
Amendment "B" dated August 26, 2004
Reply to Office Action mailed July 7, 2004

REMARKS

Initially, Applicants would like to thank the Examiner for the courtesies extended during the recent interview held on August 2, 2004. The claim amendments made by this paper are consistent with the proposals discussed during the interview.

The latest Office Action, mailed July 7, 2004, considered claims 1-20, 23-51, 54-56, 58-69, 72 and 74-83. Claims 1, 7, 9, 10, 15-17, 19, 23-32, 35-46, 48-50, 54-56, 58-69, 72, 74, 78, 79 and 81-83 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams (U.S. Patent No. 6,157,411) in view of Klosterman (U.S. Patent No. 5,550,576) and Sampat (U.S. Patent No. 5,557,724). Claims 2-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams, Klosterman and Sampat in view of LaJoie (U.S. Patent No. 5,850,218)¹.

By this paper, claims 1, 3, 7, 9, 10, 15-17, 19, 23-28, 30-32, 35-41, 42-50, 54-56, 58-69, 72, 74-77, 81, and 83 have been amended, claim 80 has been cancelled and claims 84-85 have been added, such that claims 1-20, 23-51, 54-56, 58-69, 72 and 74-85 now remain pending, of which claims 1, 42, 43, 78, 84 and 85 are the independent claims at issue. (Claims 1, 43 and 84 are the independent method claims and claims 42, 78 and 85 are the corresponding computer program product claims, respectively)

As discussed during the interview, claim 1 is directed to a method for interfacing EPG loaders with a database. The recited method includes receiving EPG data at different loaders, collecting the EPG data from the loaders at a writer module, and executing a function at the writer module to store the EPG data. Execution of the function also results in at least one of a plurality of different outcomes, each of which was previously found to comprise allowable subject matter. Claim 1 has been amended to recite these various outcomes in alternative format. Accordingly, claim 1 now incorporates the allowable subject matter from various different claims, only recited in an alternative format.

Claim 1 has also been amended to delete a non-essential element corresponding to a different issue, namely, conflict resolution. Although this element has been cancelled from claim 1, the cancellation of this element should not be construed as affecting the allowability of claim

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

Application No. 09/527,137
Amendment "B" dated August 26, 2004
Reply to Office Action mailed July 7, 2004

1, as discussed during the interview, because it relates to a different concept that is now being pursued in claim 84. In fact, as reflected in the interview summary, claim 1 now appears to be allowable over the art of record, subject to further search.

Claim 43, which was previously a dependent claim, is now amended as an independent claim. Like claim 1, claim 43 also incorporates relevant claim limitations from previously presented claim 1 and further includes relevant allowable subject matter from various other dependent claims, which are recited within claim 43 as alternative requirements. Claim 43 also appears to be allowable over the art of record, as reflected in the interview summary.

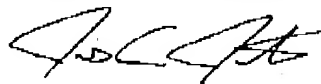
Independent claims 42 and 78 incorporate the limitations recited in claims 1 and 43 and should, therefore, be found allowable for at least the same reasons, as should each of the dependent claims that depend from one of claims 1, 42, 43 and 78.

New claim 84 incorporates the subject matter that was previously recited in dependent claim 80², corresponding to a specific embodiment for resolving conflicting EPG data, only written in an independent claim format. Accordingly, inasmuch as the scope of claim 80 was previously found to be allowable, claims 84 and 85, which necessarily includes all of the limitations of claim 80, should now be found in condition for prompt allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 26 day of August 2004.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
Attorneys for Applicant

Customer No. 022913

RDN:JCJ:cm
W:\14531\57.2\CM0000004080V001.DOC

² Claim 80 is cancelled by this amendment in favor of new claim 84.